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International Court of Justice

H0984 – 0001

Com. B.
Winkler
Take 3 - page 1
1400 - 1530 hours
Habenicht
26 June 1946

1479-5

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

COMMISSIONER:

Mr. George R. Taylor.

THE SA

(The Commission convened at 1000 hours)

FRIEDRICH HABENICHT, a witness, took the stand and testified as follows:

BY MR. TAYLOR:

Q. What is your name?

A. Friedrich Habenicht

Q. Will you raise your right hand, and repeat after me?

I swear by God, the Almighty and Omniscient, that I will speak the whole truth and will withhold and add nothing.

(The witness repeated the oath)

DIRECT EXAMINATION

BY MR. ASCHENAUER:

Q. SA and concentration camps, the attitude of the SA, and I limit my subject to the concentration camp, Wuppertal. What is the basic law regulating the use of the SA as assistant policemen?

A. TheGerman Police Law of 1850 which said that any decent German could be used as an assistant policeman.

Q. Were the SA men able to function alone when they were drafted as assistant policemen on the basis of that law?

A. No, they could function only in the presence of real policemen.

Q. And who drafted those assistant policemen?

A. The local or the Kreis police administration.

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Q. And who paid those assistant policemen for their services?

A. By the treasurer of the Kreis police authorities who had hired them.

Q. Who was in charge of concentration camps in 1933 and 1934?

A. I only know of the concentration camp in Kaemna, suburb of Wuppertal, and as far as I know it was under the direction of the police authorities, but I have talked in the meantime to police general Bader, who is present here at Nurnberg, and he could make more definite statements on that.

Q. Did SA men remain in the service of the State after 1933 and 1934?

A. Yes, as far as I know they were employed or taken over by the State Police administration either as assistant workers or as actual employees.

Q. When did you come to Wuppertal as president of the Police?

A. In March 1934, I was made substitute president of police there.

Q. When did you become a brigade leader?

A. That I became already in December 1933.

Q. Who was your predecessor in Wuppertal?

A. Willi Veller. He was the predecessor both as president of the police and brigade leader of the SA.

Q. How did it happen that you came to Wuppertal as brigade leader - respectively as police president?

A. The SA Obergruppenfulner Lutze called me and informed me that Veller should be relieved of his post, and I should take over his two positions.

Q. What were the reasons that Veller should be released from his functions of police president and leader of the brigade?

A. Lutze explained to me that Veller had failed to punich outrages or had tolerated outrages in concentration camps as president of the police, and that his general conduct of life had harmed the reputation of the SA.

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Q. Do you know whether the Chief of Staff at Wuppertal opposed the concentration camps?

A. Lutze explained to me on that case that the chief of staff opposed the concentration camps, because they should be a matter of administration of Jews.

Q. Is it correct, therefore, to say that Veller was relieved of his post by agreement of the SA leadership and State authorities?

A. In accordance with the explanation Lutze gave me - yes.

Q. Did the SA leadership take punitive measures when such outrages occurred?

A. Yes, if any when members of the SA or leaders of the SA violated existing laws or regulations issued by the SA, they were punished by the SA supreme leadership even if they had been punished by the State authorities. The chief of staff explained to us at a conference where I was that the SA would punish culprits even if the State authorities had not taken action whenever the reputation of the SA was harmed. There was a special SA court which acted independently from the State courts.

Q. Were there other SA leaders in addition to Veller who were in conjunction with the case of concentration camps at Wuppertal, who were punished or expelled from the SA?

A. Yes, if I recollect correctly there were punished at the same time SA leaders with the name of Pfeiffer, Hilger, by ~~[illegible]~~ , and Neuhoff.

Q. What did the former Obergruppenfulner Lutze explain to you when you reported to him to take over the brigade Wuppertal?

A. ~~Mx~~ Lutze gave me those reasons for the relief of Veller which I mentioned before, and he added that Veller and those who had been guilty with him were expelled from the SA and would not be permitted to stay in Wuppertal. He added that there was to be initiated special SA disciplinary ~~[illegible]~~ proceedings of Veller and other men in addition to the proceedings before the ordinary, and

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actually those SA disciplinary proceedings had already started when I got to Wuppertal. Lutze added that the chief of staff had emphatically told him that the SA men were not in their capacity as leaders or civil servants and would commit deeds or tolerate deeds which would ruin the reputation of the SA.

Q. When you started to serve as president of the police and brigade leader of the SA, was the concentration camp at Kaemna also dissolved?

A. I started my activities as SA leader in December 1933, and as president of the Police in March 1934, and when I came to Wuppertal in December 1933, the concentration was no longer in existence.

Q. Were the expenses for the concentration camps, Wuppertal, defrayed from founds of the SA or State funds?

A. I never paid any SA funds for concentration camps, but I do recall a conversation I had with a Mr. Schmidt, member of the government, who suggested to me that the SA should make a regular fund for the concentration camp, and I refused to do so, because I explained to him that was the function of the State and not the SA. From that conversation I have to conclude that the State Government in some fraction aided with the expense of the concentration camps. Who actually finally paid the expenses I do not know.

MR. ASCHENAUER: I have finished.

MR. TAYLOR: Cross examination.

CROSS EXAMINATION

BY LT. COL. GRIFFITH JONES:

Q. Did you join the Nazi Party in 1930?

A. Yes.

Q. And the SA in the same year?

A. Yes.

Q. Why was the concentration camp, Kaemna set up in the first place by

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the SA?

A. As far as I know the SA did not set up the camp, but Mr. Veller's position as president of police.

Q. We have evidence that it was set up by the SA. Do you know anything about that?

A. No, when I got there it actually had been dissolved.

Q. Do you know about any other concentration camps which were setup by the SA?

A. No, that was the only concentration camp I knew at all.

LT. COL. GRIFFITH JONES: I have no further questions.

MR. TAYLOR: Witness is excused.

Adjourned: 1429

The foregoing is a true and correct transcript of the testimony of FRIEDRICH HABENICHT, taken on 26 June 1946.

Bernice Winkler
Reporter (pp: 1 - 5)

CERTIFIED TO:

Geo. Taylor
Commissioner

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Q. Did SA men remain in the service of the State after 1933 and 1934 ?

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Q. When did you come to Wuppertal as president of the police ?

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MR. ASCHENAUER: I have finished.

MR. TAYLOR: Cross examination.

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CROSS EXAMINATION

BY LT. COL. GRIFFITH JONES:

Q. Did you join the Nazi Party in 1930 ?

A. Yes.

Q. And the SA in the same year ?

A. Yes.

Q. Why was the concentration camp, Kaemna set up in the first place by the SA ?

A. As far as I know the SA did not set up the camp, but Mr. Veller's position as president of police.

Q. We have evidence that it was set up by the SD. Do you know anything about that ?

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